

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

ROYCELIA LEILAN PENDER,

Plaintiff, Civil No. 5:18-cv-00284-D

-v-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Order Awarding Attorney's Fees pursuant
to the Equal Access to Justice Act, 28
U.S.C. § 2412(d)

Before the Court is the Motion of Plaintiff, Roycelia Leilan Pender, for award of attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Based on the pleadings as well as recognizing the Plaintiff's waiver of direct payment and assignment of EAJA to her counsel,

IT IS HEREBY ORDERED that attorney fees and expenses in the total amount of Five Thousand Eight Hundred Twenty-Three Dollars and Sixty-Seven Cents (\$5,823.67) and costs in the amount of Four Hundred Dollars (\$400.00) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) are awarded to Plaintiff. *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010).

The Court hereby awards EAJA fees, broken down as follows:

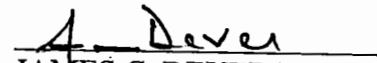
1. Plaintiff is awarded 25.1 hours at \$199.10 per hour in the amount of \$4,997.41 for attorney's fees under 28 U.S.C. § 2412(d):
2. Plaintiff is awarded 8.1 hours at \$100.00 per hour in the amount of \$810.00 for Paralegal Services.
3. Plaintiff is awarded expenses in the amount of \$16.26 for Certified Mailing Expenses related to Service of Process upon the Defendant's.
4. Plaintiff is awarded costs in the amount of \$400.00 for the filing fee to initiate this civil action to be reimbursed to the Plaintiff.

If the U.S. Department of the Treasury determines that Plaintiff's EAJA fees, expenses, and costs are not subject to offset allowed under the Department of the Treasury's Offset Program (TOPS), then the check for EAJA fees, expenses, and costs shall be made payable to Plaintiff's attorney, Russell Bowling.

Whether the check is made payable to Plaintiff or to Russell Bowling, the check shall be mailed to **Olinsky Law Group** at the following address:

250 South Clinton Street
Suite 210
Syracuse, NY 13202

SO ORDERED. This 1 day of November 2019.



JAMES C. DEVER III
United States District Judge